

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**STEVEN CURTICIAN,**

**Plaintiff,**

**v.**

**UNIT MANAGER KESSLER et al.,**

**Defendants.**

**C.A. No. 07-286 Erie**

**MEMORANDUM ORDER**

Plaintiff's Complaint was received by the Clerk of Court on October 17, 2007, was deemed filed as of October 19, 2007, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's report and recommendation, filed on July 9, 2008, recommended that the Plaintiff's "Motion for Injunctive Relief In Compliance with F.R.P.C. Rule (8)" [Doc. #23] be denied. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Plaintiff by certified mail and he filed objections to the report and recommendation on July 16, 2008 [Doc. #33] and on August 19, 2008 [Doc. #35].

Rule 72 of the Federal Rules of Civil Procedure provides, in pertinent part "the district court may accept, reject, or modify the recommended decision, receive further evidence, or recommit the matter to the magistrate judge with instructions." Fed.R.Civ.P. 72(b). After de novo review of the pleadings and documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 29th day of October, 2008, it is HEREBY ORDERED, ADJUDGED AND DECREED that the report and recommendation of Magistrate Judge Baxter, dated July 9, 2008, is adopted as the Opinion of the Court.

It is FURTHER HEREBY ORDERED, ADJUDGED AND DECREED that Petitioner's  
"Motion for Injunctive Relief In Compliance with F.R.P.C. Rule (8)" [Doc. #23] is DENIED.

*October 29, 2008* *Maurice B. Cohill, Jr.*  
MAURICE B. COHILL, JR.  
Senior District Court Judge

cc: Susan Paradise Baxter  
U.S. Magistrate Judge

all parties of record \_\_\_\_\_